

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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RICHARD BONNER,

Petitioner,

-against-

JOSEPH T. SMITH, Warden,

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.

★ MAR 14 2006 ★

**BROOKLYN OFFICE**

Respondent.  
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JUDGMENT  
05-CV- 4209 (JG)

A Memorandum and Order of Honorable John Gleeson, United States District Judge, having been filed on February 24, 2006, granting the petition for a writ of habeas corpus in part; remanding the case to the New York Supreme Court, County of Kings, with instructions to vacate petitioner's convictions for first degree assault as to David Foster and Joseph Battle, and to reduce petitioner's sentence accordingly from a total of 75 years to 25 years; it is

ORDERED and ADJUDGED that the petition for a writ of habeas corpus is granted in part; that the case is remanded to the New York Supreme Court, Count of Kings, with instructions to vacate petitioner's convictions for first degree assault as to David Foster and Joseph Battle, and to reduce petitioner's sentence accordingly from a total of 75 years to to 25 years.

Dated: Brooklyn, New York  
March 7, 2006

s/John Gleeson

JOHN GLEESON  
United States District Judge

s/Robert C. Heinemann

ROBERT C. HEINEMANN  
Clerk of Court